

REMARKS/ARGUMENTS

Favorable reconsideration of this application as currently amended and in view of the following remarks is respectfully requested.

Claims 1-3 and 6-12 are currently active in this case. Claims 9-11 have been amended, claim 12 has been added, and claim 5 has been cancelled by the current amendment.

No new matter has been added. Claims 1 and 10 are supported at least at page 30, lines 2-12, and figures 23-25, 26A, and 26B of the Specification. Newly added dependent claim 12 is supported at least at page 8, lines 26-29 and page 18, lines 16-19 of the Specification.

In the outstanding Office Action, claims 1-3 and 5-11 were provisionally rejected on the grounds of non-statutory obviousness type double patenting as being unpatentable over claims 1 and 3-7 and claims 1-10 of co-pending application numbers 10/697,238 and 10/697,027, respectively; claims 1-3, 5-8, and 11 were rejected under 35 USC 103 as being unpatentable over European Patent 1,260,928 to Loose et al. in view of U.S. Patent No. 6,315,666 to Mastera et al.; and claims 9 and 10 were rejected under 35 USC 103(a) as being unpatentable over Loose et al. in view of Mastera et al. and U.S. Patent No. 6,793,578 to Luccesi et al.

Applicants respectfully point out that neither the current application nor application numbers '238 and '027 have been allowed. Consequently, a Terminal Disclaimer has not been filed at this time.

Amended claim 1 defines, among other things, the feature "wherein the controller switches from displaying the pay table on the electrical display to a second pay table different from the pay table in an identical game, and when a winning combination is formed

depending on a combination of the symbols statically displayed on the display unit, awards a prize based on the second pay table”.

In contrast thereto, Mastera et al. do not disclose or suggest that the controller switches from displaying a pay table on an electrical display to a second pay table different from the pay table in an identical game. That is, Mastera et al. do not disclose or suggest a plurality of pay tables for an identical game. This distinction is partially due to the fact that the technical problems targeted by column 17, lines 6-20 of Mastera et al., are different from the technical problems solved by the present invention. Consequently, Mastera et al. do not address the deficiencies of Loose et al. conceded in the Office Action and the 35 USC 103(a) rejection should be withdrawn.

Amended claim 10 defines, among other things, the feature “the controller switches from the pay table to the second pay table by changing a winning probability of the winning combination in the pay table, the winning probability of the winning combination in the pay table being different from a winning probability of the winning combination in the second pay table”. Thus, claim 10 clearly defines that the winning probabilities of the winning combinations in the pay table and the second pay table are different from each other.

However, page 8, lines 15-19 of the Office Action asserts that the controller of Luccesi et al. effectively changes the winning probabilities of the winning combination of the bonus game because the player’s odds of winning a prize in the second pay table or bonus game is the probability of a winning occurrence in the primary game multiplied with the probability of the winning in the bonus game. Applicants respectfully traverse. Applicants respectfully point out that the Official Action compares two things different from the items compared in amended claim 10 and thus, the Official Action’s assertion is improper and should be withdrawn.

Newly added dependent claim 12 defines that the pay table and the second pay table are configured to be displayed on the electrical display based on pay amount data of winning combinations stored in a ROM. This feature clearly indicates that the pay table and the second pay table are configured to be electrically displayed (that is, displayed as electrical images). Applicants respectfully submit that none of the applied references disclose or suggest the feature of claim 12.

Consequently, no further issues are believed to be remaining. An early and favorable action is therefore respectfully requested.

Respectfully submitted,

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